

Presented to the Court by the foreman of the  
Grand Jury in open Court, in the presence of  
the Grand Jury and FILED in the U.S.  
DISTRICT COURT at Seattle, Washington.

October 11 2023  
By Ravi Subramanian, Clerk  
[Signature] Deputy

UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

UNITED STATES OF AMERICA,  
Plaintiff

v.

WAYLAN GRAVES,  
Defendant.

NO. **CR 23-5287 DGE**  
**INDICTMENT**

The Grand Jury charges that:

**COUNT 1**

**(Possession of Controlled Substances with Intent to Distribute)**

On or about June 1, 2023, in Thurston County, within the Western District of Washington, WAYLAN GRAVES did knowingly and intentionally possess, with the intent to distribute, controlled substances, including: methamphetamine, N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (fentanyl)], heroin, and cocaine, substances controlled under Title 21, United States Code.

The Grand Jury further alleges that the offense involved 50 grams or more of methamphetamine, its salts, isomers, or salts of its isomers.

1 The Grand Jury further alleges that this offense involved 40 grams or more a  
2 mixture and substance containing a detectable amount of fentanyl.

3 All in violation of Title 21, United States Code, Sections 841(a)(1) and  
4 841(b)(1)(A), (B), and (C).

5 **COUNT 2**

6 **(Carrying a Firearm During and in Relation to a Drug Trafficking Crime)**

7 On or about June 1, 2023, in Thurston County, within the Western District of  
8 Washington, WAYLAN GRAVES knowingly carried a firearm, that is: a Springfield  
9 Armory XD 9 mm handgun, during and in relation to a drug trafficking crime for which  
10 the defendant may be prosecuted in a court of the United States: *Possession of Controlled*  
11 *Substances with Intent to Distribute*, as alleged in Count 1 above.

12 All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

13 **COUNT 3**

14 **(Possession of Controlled Substances with Intent to Distribute)**

15 On or about September 20, 2023, in Lewis County, within the Western District of  
16 Washington, WAYLAN GRAVES did knowingly and intentionally possess, with the  
17 intent to distribute, controlled substances, including: methamphetamine, fentanyl, and  
18 heroin, substances controlled under Title 21, United States Code.

19 The Grand Jury further alleges that the offense involved 5 grams or more of  
20 methamphetamine, its salts, isomers, or salts of its isomers, and 50 grams or more of a  
21 mixture or substance containing a detectable amount of methamphetamine, its salts,  
22 isomers, or salts of its isomers.

23 The Grand Jury further alleges that this offense involved 40 grams or more a  
24 mixture and substance containing a detectable amount of fentanyl.

25 All in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)  
26 (B) and (C).

COUNT 4**(Carrying a Firearm During and in Relation to a Drug Trafficking Crime)**

On or about September 20, 2023, in Lewis County, within the Western District of Washington, WAYLAN GRAVES knowingly carried a firearm, that is: a Kel Tec .380 caliber semi-automatic pistol, during and in relation to a drug trafficking crime for which the defendant may be prosecuted in a court of the United States: *Possession of Controlled Substances with Intent to Distribute*, as alleged in Count 3 above.

All in violation of Title 18, United States Code, Section 924(c)(1)(A)(i).

FORFEITURE ALLEGATION

The allegations contained in Counts 1-4 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture.

Upon conviction of either of the offenses alleged in Counts 1 and 3, WAYLAN GRAVES shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any property that constitutes or is traceable to proceeds of the offense, as well as any property that facilitated the offense. This property includes, but is not limited to, a Kel Tec .380 caliber semi-automatic pistol and any associated ammunition, seized from WAYLAN GRAVES's vehicle on or about September 20, 2023.

Upon conviction of either of the offenses alleged in Counts 2 and 4, WAYLAN GRAVES shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), by way of Title 28, United States Code, Section 2461(c), any firearms and ammunition that were involved in the offense. This property includes, but is not limited to, a Kel Tec .380 caliber semi-automatic pistol and any associated ammunition, seized from WAYLAN GRAVES's vehicle on or about September 20, 2023.

**Substitute Assets.** If any of the above-described forfeitable property, as a result of any act or omission of the defendant,

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the Court;
- d. has been substantially diminished in value; or,
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States to seek the forfeiture of any other property of the defendant, up to the value of the above-described forfeitable property, pursuant to Title 21, United States Code, Section 853(p).

A TRUE BILL:

DATED: 10/11/23

*Signature of Foreperson redacted pursuant to the policy of the Judicial Conference of the United States.*

FOREPERSON

TESSA M. GORMAN  
Acting United States Attorney

VINCENT T. LOMBARDI  
Assistant United States Attorney

CASEY S. CONZATTI  
Assistant United States Attorney